

JUN 01 2005

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8 I hereby certify that this correspondence, totaling <u>21</u> pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 703-872-9308 (Central number) on the below date: Date: <u>June 1, 2005</u> Name: <u>Gregory H. Zayia</u> Reg. No. <u>48,059</u> Signature: <u>Gregory H. Zayia</u>	
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**BRINKS
HOFER
GILSON
& LIONE**
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Ernesto A. Brovelli et al.

Appln. No.: 09/575,307

Filed: May 19, 2000

For: Echinacea Induction of Phase II Enzymes

Attorney Docket No: 3086/1154

Altacor Ref. No. NP4053

Examiner: Michael V. Meller

Art Unit: 1654

 Mail Stop Amendment
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Transmittal Letter (in duplicate); Response; Petition and Fee for Extension of Time (In duplicate)
- ☐ Return Receipt Postcard

Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☒ An extension fee in an amount of \$120.00 for a one-month extension of time under 37 CFR § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 CFR § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☒ Please charge Deposit Account No. 23-1925 in the amount of \$120.00. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

 Date June 1, 2005
Gregory H. Zayia
 Gregory H. Zayia (Reg. No. 48,059)

JUN 01 2005

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 Date: June 1, 2005 Name: Gregory H. Zayia Reg. No. 48,059 Signature: Gregory Zayia

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Respectfully submitted,

 Date June 1, 2005
Gregory Zayia
 Gregory H. Zayia (Reg. No. 48,059)

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I hereby certify that this correspondence is being sent via
facsimile to the Commissioner for Patents at the United
States Patent and Trademark Office centralized facsimile
number 703-872-9306 on

June 1, 2005

Gregory H. Zayla, Ph.D. - Registration No. 48,059

Name of Applicant, Assignee or
Registered Representative

Gregory Zayla
Signature

June 1, 2005
Date of Transmission

Our Case No. 3086/1154
Altacor Ref. No. NP4053

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ernesto A. Brovelli et al.

Serial No. 09/575,307

Filing Date: May 19, 2000

For: Echinacea Induction of Phase II
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)
)
) Examiner Michael V. Meller

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) Group Art Unit No. 1654
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RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action mailed February 1, 2005, Applicants respectfully
request reconsideration in light of the following Amendment and Remarks.

Amendments to the Specification begin on page 2 of this communication.

Amendments to the Claims are reflected in the listing of claims that begins on
page 3 of this communication.

Remarks begin on page 8 of this communication.